

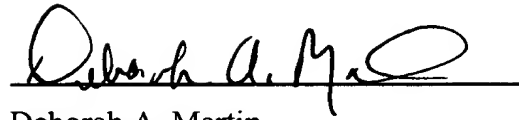
3. Claims 6-9, 23, 29, 31, and 34 stand rejected, under 35 U.S.C. § 112, first paragraph, for inadequate written description. In view of Applicants' current claim amendments and cancellations, reconsideration and withdrawal of this rejection is requested.

4. Claims 6, 7, 9, 23-27, 31, and 34 stand rejected, under 35 U.S.C. § 102(b), in view of Database EMBL Accession No. AC0088571. Applicants request the withdrawal of this rejection. While the Examiner cites the August 3, 1999 submission date as the basis for an anticipatory rejection, this is not proper. First, a submission date is not a publication date; submission of sequence information to the Database EMBL on August 3, 1999 does in no way indicate that this submission was publicly disclosed on this date. Second, the database entry indicates that the sequence information was updated on May 5, 2000, a date subsequent to the priority date for the present application. This indicates that, unlike the May 5, 2000 sequence information, the initial sequence information submitted on August 3, 1999 was not even identical to the claimed polynucleotide sequences. In the event that the Examiner does not withdraw this rejection, Applicants request that the Examiner cite the actual date of public disclosure and the actual sequence information disclosed in the reference that supports this rejection.

Claims 7, 9-12, 22, 23, 31, and 34 also stand rejected, under 35 U.S.C. § 102(b), in view of Tan et al., and claim 12 stands rejected, under 35 U.S.C. § 102(b), in view of Maniatis et al. Given the current claim cancellations and amendments, Applicants request reconsideration and withdrawal of these rejections.

Respectfully submitted,

Date: December 10, 2002

A handwritten signature in black ink, appearing to read "Deborah A. Martin", is written over a horizontal line.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

(Twice amended) A host cell transformed or transfected with the [vector of claim 9, wherein said host cell expresses the] polynucleotide of [SEQ ID NO: 1] claim 23, wherein said polynucleotide is expressed under conditions sufficient for expression [of the polynucleotide].

11. (Amended) A process for producing a polypeptide [or fragment thereof] comprising culturing the transformed/transfected host cell of claim 10 under conditions sufficient for the expression of [said polypeptide or fragment] the polynucleotide of claim 23.

23. (Twice amended) An isolated or purified polynucleotide comprising a polynucleotide selected from the group consisting of:

- (a) a polynucleotide encoding the polypeptide [as set forth in] of SEQ ID NO: 2;
- (b) a polynucleotide [comprising a nucleotide sequence] of SEQ ID NO: 1;
- (c) a polynucleotide [encoding the polypeptide expressed by the DNA] contained in the clone deposited as National Collections of Industrial and Marine Bacteria Limited (NCIMB) 41066; and
- (d) a polynucleotide comprising a nucleotide sequence that has at least [90%] 95% identity to the polynucleotide of any one of (a) to (c) and encodes a neuromedin U receptor. [;
- (e) a polynucleotide comprising a nucleotide sequence, wherein said polynucleotide is capable of hybridizing to the specific polynucleotide of any one of (a) to (d);
- (f) a complement of the polynucleotide of any one of (a) to (e); and
- (g) a contiguous polynucleotide fragment having at least fifteen nucleotides of the polynucleotide of any one of (a) to (f).]

32. (Amended) An isolated or purified polynucleotide comprising [a polynucleotide encoding the polypeptide expressed by] the DNA contained in the NCIMB deposit 41066.